IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928

WP(C).No. 6659 of 2007(S)

OA.104/2006 of CENTRAL ADMINISTRATIVE TRIBUNAL,ERNAKULAM BENCH
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PETITIONERS:
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1. UNION OF INDIA REPRESENTED BY THE
SECRETARY TO THE GOVERNMENT OF INDIA,
MINISTRY OF COMMERCE AND INDUSTRY,
NEW DELHI.

2. THE DEVELOPMENT COMMISSIONER,
COCHIN SPECIAL ECONOMIC ZONE,
MINISTRY OF COMMERCE & INDUSTRY,
KAKKANAD, KOCHI-37.

3. SRI.M.S.N.WARRIER, ACCOUNTS OFFICER,
COCHIN SPECIAL ECONOMIC ZONE,
MINISTRY OF COMMERCE & INDUSTRY,
KAKKANAD, KOCHI-37,

4. SRI. VISWANATHAN,
ASSISTANT DEVELOPMENT COMMISSIONER,
(ADMINISTRATION), COCHIN SPECIAL ECONOMIC ZONE,
MINISTRY OF COMMERCE & INDUSTRY,
KAKKANAD, KOCHI-37.

BY ADV. SRI.JOHN VARGHESE, ASSISTANT SG

RESPONDENTS:

N.WILSON, S/O P.NALLAMUTHU,
ASSISTANT DEVELOPMENT COMMISSIONER(RETD),
COCHIN SPECIAL ECONOMIC ZONE, MINISTRY OF
COMMERCE & INDUSTRY, KAKKANAD, KOCHI-37,
RESIDING AT H.NO.T.M.J.VII 706, NEITHELI NAGAR,
MAVELIPURAM, KAKKANAD, KOCHI-30.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C)No.6659 OF 2007

Dated 28th February, 2007

JUDGMENT

Koshy,J.

This writ petition is filed under Article 227 of the Constitution of India challenging the Central Administrative Tribunal's order in granting 9% interest for the delay in payment of pension, gratuity and other retiral benefits beyond six months of the retirement. The entitlement of pension, gratuity etc. are not disputed. In view of the delay caused for the payment, the Tribunal has granted 9% interest as per Rule 68 of the Central Civil Services (Pension) Rules. The Tribunal did not grant any interest for the delayed payment of leave encashment and other payments. We see no ground to interfere in the above order in a petition under Article 227 of the Constitution of India.

The writ petition is dismissed.

J.B.KOSHY
JUDGE

T.R.RAMACHANDRAN NAIR
JUDGE

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